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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

UNITED STATES OF AMERICA,)	
)	
<i>Plaintiff,</i>)	
)	
vs.)	Criminal No. 10-CR-329-F
)	
DANIEL RENTERIA,)	
)	
<i>Defendant.</i>)	

DEFENDANT DANIEL RENTERIA'S MOTION *IN LIMINE*

COMES NOW the Defendant, Daniel Renteria, by and through his attorney, Tom Fleener, of Fleener & Vang, LLC, and respectfully moves this Court *in Limine* to exclude the United States from presenting evidence that it has disclosed late in this case. As support for this request, the undersigned counsel informs the Court as follows:

1. This case was originally scheduled to begin on June 13, 2011. On June 8, 2011, the United States filed a Motion to Continue.
2. During the argument regarding whether this Court should grant the United States Motion or should sever the newly-arrested codefendant, the United States stated that the reason

to continue the case five days before its scheduled trial date was because they recently arrested a codefendant. Based on the United States' rationale, this Court continued the trial.

3. Immediately after this Court granted the continuance it became clear that the United States was not prepared to go to trial on June 13, 2011. In fact, since the June trial date was continued Defendant Renteria has been provided additional discovery – none of which was newly discovered. Just as an example, the United States provided discovery on June 10, June 17, September 15, September 17 and September 19. Presumably the United States has provided additional discovery to the other defendants in this case as well.

4. It is clear, based just on the few examples provided above that the United States was not ready to go to trial and simply chose to arrest the last remaining codefendant as a means of continuing the trial. Meanwhile, every defendant in this case languished in county jails spread throughout a tri-state region.

5. This Court cannot condone this type of behavior. The United States must not be allowed to present any of this evidence during this trial, as it clearly would not have been available had the trial gone on as planned in June. Further, this Court must establish on the record why this evidence was provided at such a late date.

WHEREFORE it is respectfully requested that this Court have a hearing on the matter and issue an ORDER *in Limine*.

Respectfully submitted this 20th day of September 2011.

s/Tom Fleener
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was served on all applicable parties by electronic filing.

/s/ Tom Fleener
Thomas A. Fleener